IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

NORWOOD WYATT,   )
)
       Plaintiff,   )
)
   v.   ) Civil Action No. 05-655-KAJ
)
FIRST CORRECTIONAL   )
MEDICAL and DR. SITTA   )
GOMBEH ALI,   )
)
      Defendants.   )

ORDER

At Wilmington this 13th day of October, 2006.

Plaintiff Norwood Wyatt, filed this civil rights action pursuant to 42 U.S.C. § 1983.

(D.I. 2) He appears *pro se* and on September 16, 2005, was granted *in forma pauperis*

status pursuant to 28 U.S.C. § 1915. (D.I. 3.)

Plaintiff submitted a USM-285 form for service upon Dr. Sitta Gombeh Ali ("Dr.

Ali") with special instructions to serve Dr. Ali through her attorney Steven F. Mones,

P.A. at 824 Market Street, 4th Floor, Wilmington, DE 19899. (D.I. 11.) The USM-285

form was returned unexecuted by the U.S. Marshal. In the "remarks" section of the

form it states, "Ret. unexecuted - Returned by Postal Service insufficient address for S.

Mones". (D.I. 11.)   Plaintiff resubmitted a USM-285 form for Dr. Ali and asked the U.S.

Marshal Service to contact counsel for First Correctional Medical ("FCM") for service.

(D.I. 28.)

The complaint indicates that the unserved defendant is or was an employee of

FCM and that during the relevant time period in the complaint, FCM was under contract

with the Delaware Department of Correction ("DOC") to provide medical services for inmates in the custody of the DOC. Additionally, FCM is a defendant and appears in this action.
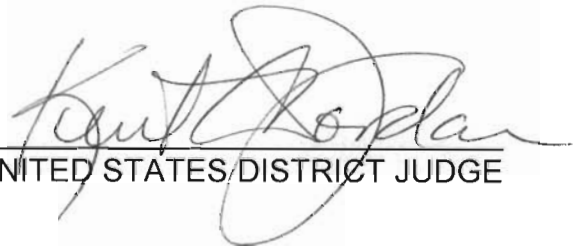
The court has an obligation to assist *pro se* plaintiffs in the service of process. *Palmer v. Stewart*, No. 02 Civ.4076 LTS GWG, 2003 WL 21279440 (S.D.N.Y June 4, 2003) (citing *Valentin v. Dinkins*, 121 F.3d 72 (2d Cir. 1997)). Indeed, many courts have entered orders to assist a *pro se* plaintiff in identifying and obtaining addresses of defendants so that service may be effected. See *In Re Johnson*, No. 02-5225, 2001 WL 1286254 (D.C. Cir. Sept. 28, 2001) (district court ordered individual to indicate where and when he was available for service of process or to provide district court with name and address of individual authorized to accept service of process on his behalf); *Palmer v. Stewart*, No. 02 Civ.4076 LTS GWG, 2003 WL 21279440 (S.D.N.Y June 4, 2003) (court ordered counsel for New York City to file an affidavit containing name and address to assist pro se plaintiff in service of process); *Garrett v. Miller*, No. 02 C 5437, 2003 WL 1790954 (N.D. Ill. Apr. 1, 2003) (counsel for defendants ordered to provide address to court to assist pro se plaintiff in obtaining service of process); *Dudley v. Texas Instruments, Inc.*, No. Civ.A. 302CV292M, 2002 WL 992766 (N.D. Tex. May 13, 2002) (court determines assistance should be provided to pro se plaintiff to help him effect proper service, and counsel for corporation is ordered to provide plaintiff with names and addresses of corporate officers and registered agent); *Bloomer v. City of New York*, No. CV 89-592(RR), 1994 WL 92388 (E.D.N.Y. Mar. 3, 1994) (court ordered counsel for New York City, who did not represent police officers in their individual

capacity, to provide addresses of police officers when counsel refused to accept service for officers). Also, the court's inherent power allows it to enter orders to manage its own affairs "so as to achieve the orderly and expeditious disposition of cases." *Hritz v. Woma Corp.*, 732 F.2d 1178, 1180 (3d Cir. 1984) (citing *Link v. Wabash R.R. Co.*, 370 U.S. 626, 629-31 (1962).

THEREFORE, IT IS ORDERED that on or before **November 3, 2006**, First Correctional Medical, Inc. shall provide to the court the last known address for Dr. Sitta Gombeh Ali. If Dr. Ali is still employed by First Correctional Medical, Inc., then the court shall be advised of the correctional facility where Dr. Ali is now located, so that the defendant may be served.

First Correctional Medical, Inc. is put on notice that failure to comply with this order may result in sanctions. The clerk of the court is directed to serve a copy of this order, by certified mail, upon First Correctional Medical, Inc. through its attorney of record.

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UNITED STATES DISTRICT JUDGE

Wilmington, Delaware